

Scott D. Baker (SBN 84923)  
Email: [sbaker@reedsmith.com](mailto:sbaker@reedsmith.com)  
James A. Daire (SBN 239637)  
Email: [jdaire@reedsmith.com](mailto:jdaire@reedsmith.com)  
**REED SMITH LLP**  
101 Second Street, Suite 1800  
San Francisco, CA 94105-3659  
Telephone: +1 415 543 8700  
Facsimile: +1 415 391 8269

LARIVIERE, GRUBMAN & PAYNE, LLP  
Robert W. Payne, Esq. (Bar No. 073901)  
Email: [rpayne@lgpatlaw.com](mailto:rpayne@lgpatlaw.com)  
Scott J. Allen, Esq. (Bar No. 178925)  
Email: [sallen@lgpatlaw.com](mailto:sallen@lgpatlaw.com)  
Post Office Box 3140  
19 Upper Ragsdale Drive  
Monterey, CA 93942-3140  
Telephone: (831) 649-8800  
Facsimile: (831) 649-8835

Maria N. Bernier (*pro hac vice*)  
Email: [mbernier@reedsmith.com](mailto:mbernier@reedsmith.com)  
Barry J. Coyne (*pro hac vice*)  
Email: [bcoyne@reedsmith.com](mailto:bcoyne@reedsmith.com)  
REED SMITH LLP  
Reed Smith Centre  
225 Fifth Avenue  
Pittsburgh, PA 15222-2716  
Telephone: (412) 288-3131  
Facsimile: (412) 288-3063

Attorneys for Plaintiff/Counter-Defendant  
LIFT-U, A DIVISION OF HOGAN MFG.,  
INC.

Attorneys for Defendants  
RICON CORP. and WESTINGHOUSE AIR  
BRAKE TECHNOLOGIES CORPORATION  
dba VAPOR BUS INTERNATIONAL

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

## SAN JOSE DIVISION

LIFT-U, A DIVISION OF HOGAN MFG., INC.,  
a California corporation,

No.: C 10-01850 (LHK)

Plaintiff,

vs.

RICON CORP., a California corporation, and  
WESTINGHOUSE AIR BRAKE  
TECHNOLOGIES CORPORATION dba  
VAPOR BUS INTERNATIONAL, a Delaware  
Corporation,

**STIPULATED REQUEST AND  
[PROPOSED] ORDER CONTINUING  
FURTHER CASE MANAGEMENT  
CONFERENCE as modified by the Court**

[Civil L.R. 16-2(e); 7-12]

## Defendants.

## AND RELATED COUNTERCLAIMS.

Case No. C 10-01850 (LHK)

STIPULATED REQUEST AND [PROPOSED] ORDER CONTINUING FURTHER CASE MANAGEMENT CONFERENCE

1 Pursuant to Local Rules 16-2(e) and 7-12, Plaintiff Lift-U, a division of Hogan Mfg., Inc.  
2 (“Plaintiff”), on one hand, and Defendants Ricon Corp. and Westinghouse Air Brake Technologies  
3 Corporation dba Vapor Bus International (collectively, “Defendants”), on the other hand, hereby  
4 request a continuance of the Further Case Management Conference to February 2, 2011 at 2:00 p.m.,  
5 subject to the Court’s calendar, for the following reasons:

6  
7 1. On December 20, 2010, the Court issued an Order (Doc # 39) setting a Further Case  
8 Management Conference for January 12, 2011 at 2:00 p.m.

9  
10 2. As set forth in the accompanying declaration, Scott Baker, lead trial counsel for  
11 Defendants, is also counsel in a case venued in the Eastern District of Texas, *Wi-LAN v. Acer, Inc. et*  
12 *al.*, Case No. 2:07-CV-473, consolidated with Case No. 2:07-CV-474 (TJW). Opening statements in  
13 *Wi-LAN v. Acer, Inc. et al.* are presently set for January 6, 2011, and the trial is expected to last  
14 approximately two calendar weeks. The trial prevents Mr. Baker from either personally attending  
15 the Further Case Management Conference or dialing in using the Court’s CourtCall system. The  
16 parties therefore seek a brief continuance of the Further Case Management Conference.

17  
18 3. The parties have met and conferred with one another, and February 2, 2011 at 2:00  
19 p.m. presents no conflicts for any lead attorneys. Moreover, no other Court-ordered dates shall be  
20 affected by this proposed continuance.

21       ///

22       ///

23       ///

24       ///

1 Accordingly, and for good cause shown, the parties request that the Court continue the Status  
2 Conference in this matter to February 2, 2011.

3  
4 IT IS SO STIPULATED.

5 Dated: December 23, 2010.

6 REED SMITH LLP

7 LARIVIERE, GRUBMAN & PAYNE, LLP

8 By: /s/ James A. Daire  
James A. Daire  
9 Attorneys for Defendants  
10 RICON CORP. and WESTINGHOUSE AIR  
BRAKE TECHNOLOGIES CORPORATION  
dba VAPOR BUS INTERNATIONAL

11  
12 By: /s/ Scott J. Allen \*  
Scott J. Allen  
13 Attorneys for Plaintiff  
14 LIFT-U, A DIVISION OF HOGAN MFG., INC.

15 \*Filer's Attestation: Pursuant to General Order No. 45, Section X(B) regarding signatures, James  
16 A. Daire hereby attests that concurrence in the filing of this document has been obtained.

17 PURSUANT TO STIPULATION, ~~IT IS SO ORDERED:~~  
18 The Case Management Conference is continued to February 9, 2011, at 2 p.m.

19 DATED: December 29, 2010.

20   
Hon. LUCY H. KOH

21 United States District Court Judge